

### **REMARKS**

In response to the Office Action mailed October 22, 2007, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-61 were previously pending in this application. Claims 13-17, 30-34, 46-50 and 62-70 have been withdrawn, and are cancelled herein. Claims 1, 18, 35 and 51 are amended herein and claims 71-74 are added. As a result, claims 1-12, 18-29, 35-45, 51-61 and 71-74 are pending for examination, with claims 1, 18, 35 and 51 being independent. No new matter has been added.

#### **Telephone Interview with Examiner**

Applicant's representatives thank Examiner Eng for the courtesies extended in granting and conducting a telephone interview on February 19, 2008. The substance of the interview is summarized herein.

#### **Claim Rejections Under 35 U.S.C. §102**

Claims 1, 5, 6, 11, 22, 23, 28, 39, 40, 44, 61, 55, 56, 3, 10, 20, 27, 37, 43, 53, 60, 4, 21, 38, 54, 7, 8, 12, 24, 25, 29, 41, 42, 45, 57, 58, 9, 26, 29, and 59 are rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 7,016,942 to Odom ("Odom").

#### **I. Brief Overview Of Embodiments Of The Invention**

During the interview, Applicant's representatives provided an overview of embodiments of the invention, which relate generally to performing context management in a networked environment (see Applicant's specification at, e.g., p. 1, lines 5-6). By way of background, Applicant's representatives provided an overview of context management in general. Specifically, it was explained that in some settings, certain data entities, or "subjects," may be shared by multiple

software applications. For example, users of applications in a healthcare setting commonly provide input relating to a particular patient to multiple applications (p. 1, lines 10-12). A user's input may include clinical data (e.g., x-ray images or blood work results), financial data (e.g., insurance coverage or billing history), or other data relating to the patient (p. 1, lines 12-14).

Before context management systems were developed, users were forced to repeat the entry of data relating to the patient to each of the multiple applications (p. 1, lines 14-15). Context management systems provide the capability to manage a "context," which may include data describing one or more subjects (in this example, a patient) used commonly by the multiple applications (p. 1, lines 22-26). Thus, a user may switch from one patient's data to another within a first application, and all of the applications that share a context defined by the patient subject with the first application will switch to the other patient as well, to retain the context (p.3, line 24 – p.4, line 25).

Patient data is only one illustrative example, as other data may define a subject, including data relating to a health care provider, clinical encounter, observation, insurer, user (e.g., to enable "single sign-on" capabilities for the multiple applications) and/or other data (p. 1, lines 15-19). Applications may also share a context defined by subjects not related to healthcare (p. 1, lines 15-21).

Applicant's representatives then provided an example of how a context management system may function. With reference to Fig. 1, which depicts an exemplary context management system, it was explained that context manager 230 may, for example, manage a context for two context participant applications 210 and 220 (p. 2, lines 14-15). Applications 210 and 220 may execute on the same or separate computers, and these computers may be the same or separate from the computer(s) on which context manager 230 executes (p. 2, lines 16-18). Applications 210 and 220 may communicate with context manager 230 over a network (p. 2, lines 20-21).

While the components of a context management system may communicate in different ways, one example is described below. In this example, when a user of one of the applications (e.g., application 210) desires to switch the context by accessing the data for a new subject (e.g., switching from one patient to another within the application), the application sends a request to

context manager 230 (p. 3, lines 24-26). The requesting application may be referred to as the “instigator” of a requested change in context (p. 3, lines 28-29). When context manager 230 receives the request, it may survey the other applications that share the context (in this example, application 220) to determine whether the switch is acceptable (p. 3, lines 29-31). For example, context manager 230 may send a request to other applications that share the context, and these other applications may determine whether the change is acceptable (p. 4, lines 2-3). The context manager 230 may receive the results of the survey and communicate them to the instigator application (p.4, lines 12-16). The user of the instigator application may examine the results and determine how to proceed, such as by going forward with the change in context, cancelling it, or causing one or more applications to no longer share the context (p. 4, lines 12-16).

As explained during the interview, because the components of a context management system may communicate in various ways, issues may arise when performing context management in a networked environment. For example, network security facilities (e.g., virtual private networks (VPNs), firewalls, and/or other facilities) may prevent the transmission of unsolicited messages to components executing on computers that reside “behind” the security facility (e.g., behind a firewall) (p. 12, lines 25-30). For example, a firewall may employ identity masking features which effectively allow a client residing behind the firewall to transmit messages to an outside device and to receive responses to those messages, but keeps the Internet Protocol (IP) address of the client hidden from the outside device so that the outside device can not transmit unsolicited messages directly to the client (p. 12, lines 25-30).

This may present a problem for context management systems, because if a context manager executes on a computer outside a firewall, it may be unable to initiate communication with a context participant application executing on a client behind the firewall (p. 13, lines 1-3). Returning to the example above to illustrate, if application 210 executed on a client behind a firewall, and application 220 instigated a change in the context shared by applications 210 and 220, context manager 230 may be unable to survey application 210 because it may be unable to transmit an unsolicited message to application 210. As a result, applications 210 and 220 may be unable to share a context.

Some embodiments of the invention provide techniques for facilitating communication

between a client and a context manager. In one embodiment, a network connection is established between the client and context management server and maintained for a period of time during which a context is shared (p.13, lines 4-7).

The foregoing summary is provided to assist the Examiner in appreciating some aspects of the invention. However, the description above may not apply to each independent claim, and the language of each independent claim may differ in material respects from the summary provided above. Thus, Applicant's respectfully request that careful consideration be given to the language of each independent claim, and that each be addressed on its own merits, without relying on the summary provided above. In this respect, Applicant does not rely upon the summary above to distinguish any of the claims over the prior art, but rather only upon the arguments below.

## II. Claims 1-12, 18-29, 35-45 and 51-61

Each independent claim includes limitations directed to a client executing at least one application which shares a context with another application for a period of time. The context is managed by a context management service executing on a context management server that is coupled to the client via a network.

As explained during the interview, Odom is simply unrelated to the claimed subject matter, as Odom says nothing at all relating to context management, or managing a context which is shared by a plurality of applications. Rather, Odom discloses a system wherein a client computer may temporarily assume the responsibilities of a server computer to more effectively distribute processing resources or provide transactional privacy within a clustered computing environment (col. 1, lines 27-32).

The Examiner indicated an appreciation for this point, but questioned whether the language of the independent claims was broad enough to read on the system of Odom, which the Examiner contended allows multiple clients to access a shared data resource. The Examiner suggested amendments to the independent claims to clarify what is meant by a "context" that is shared by multiple applications, so as to differentiate the claimed subject matter from systems wherein

applications access a shared data resource. Each of independent claims 1, 18, 35 and 51 has been so amended. Specifically, each independent claim has been amended to recite that the context which is shared by at least one client application and another application comprises at least one subject data item which is usable by the at least one client application and the another application, the at least one subject data item having a set of values comprising a first value corresponding to the at least one client application and a second value corresponding to the another application.

These limitations are neither taught nor suggested by Odom. Specifically, Odom says nothing at all regarding a context which comprises a subject data item that is usable by both at least one client application and another application. Odom certainly says nothing at all about a subject data item which has a first value that corresponds to the at least one client application and a second value that corresponds to the other application.

Support for this amendment to claims 1, 18, 35 and 51 can be found in Applicant's specification at p.1, lines 21-22.

In view of the foregoing, Applicant respectfully requests withdrawal of the rejection of claims 1, 18, 35 and 51, and of the claims that depend respectively therefrom, under 35 U.S.C. §102(e) as purportedly being anticipated by Odom.

#### Claim Rejections Under 35 U.S.C. §112

Claims 1-12, 18-29, 35-45 and 51-61 under 35 U.S.C. §112, second paragraph, as purportedly being indefinite. Specifically, the Office Action contends that it is not clear where the shared context or applications recited by each independent claim are located.

During the interview, the Examiner indicated that this rejection would be withdrawn in light of the overview of context management systems discussed during the interview and summarized above.

#### Abstract

The Office Action requests that the Abstract be amended to correspond to the elected invention. The Abstract has been amended to delete references to the subject matter of non-elected

claims.

### Drawings

The Office Action indicates that the informal drawings are of insufficient quality. Submitted herewith are formal drawings. Favorable consideration is hereby requested.

### New Claims

Claims 71-74 are added to further define Applicant's contribution to the art. Each of claims 71-74 includes a limitation requiring that a first value corresponding to at least one client application be equal to a second value corresponding to another application.

Claims 71-74 depend from independent claims 1, 18, 35 and 51, respectively, and each is allowable for at least the same reasons as its respective base claim.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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